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Eleventh report of the Secretary-General on the implementation of Security Council resolution 1701 (2006)

I. Introduction

1. The present report provides a comprehensive assessment of the implementation of Security Council resolution 1701 (2006) since the last report of the Secretary-General, dated 29 June 2009 (S/2009/330).

2. Overall, the situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) remained generally stable during the reporting period and the cessation of hostilities between Israel and Lebanon continued to hold. Notwithstanding this, a number of serious incidents and violations of resolution 1701 (2006) occurred during this period, both across the Blue Line and in the area between the Blue Line and the Litani River. These illustrated, once again, the continuing fragility of the situation and its potential to deteriorate. In all these instances, UNIFIL maintained close liaison and coordination with the parties on the military level through bilateral channels, urging them to exercise maximum restraint, with a view to preventing an escalation of the situation, and subsequently brought the incidents concerned to the attention of the tripartite mechanism. In addition, my Special Coordinator for Lebanon maintained close contact with the parties on the diplomatic and political level and sought to address acute instances of tension as well as the wider-ranging implementation of resolution 1701 (2006). The absence of progress on the implementation of key aspects of resolution 1701 (2006) continues to impede the attainment of a permanent ceasefire and a long-term solution between the parties.

3. Following the successful parliamentary elections held on 7 June in Lebanon, President Sleiman nominated Saad Hariri, the leader of the parliamentary majority, Prime Minister-designate on 26 June. He tasked him with conducting consultations with all parliamentary groups with a view to forming a government. Those consultations led to an agreement on a power-sharing formula between the majority and the minority for the formation of a government of national unity. However, failure to reach an agreement on the precise composition of the Government prompted Mr. Hariri to resign on 10 September. He was re-designated Prime Minister by President Sleiman on 15 September. At the time of writing this report, the Prime Minister-designate was still engaged in consultations aimed at forming a government. A summit meeting of the President of the Syrian Arab Republic, Bashar al-Assad, and King Abdullah of Saudi Arabia on 7 and 8 October in Damascus

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generally was seen in Lebanon as injecting important positive momentum into the process of government formation. In communiqués issued after the summit, the two leaders affirmed the importance of the early formation of a national unity government in Lebanon.

4. I am pleased to report that both Israel and Lebanon remain committed to the full implementation of resolution 1701 (2006). In order to achieve this goal, the parties must comply with their respective obligations and move from the current state of cessation of hostilities to a permanent ceasefire, thus paving the way for the establishment of longer-term arrangements to govern their relations in the future.

II. Implementation of Security Council resolution 1701 (2006)

5. Since my tenth report on the implementation of resolution 1701 (2006) was issued, and further to my latest report on the implementation of Security Council resolution 1559 (2004), Lebanon's security agencies have continued to coordinate their investigations of alleged Israeli spying networks in Lebanon.

A. Situation in the UNIFIL area of operations

6. In my letter to the President of the Security Council dated 6 August 2009 recommending the extension of the mandate of UNIFUL (S/2009/407), I reported on a series of explosions that occurred on 14 July 2009 in a building in the vicinity of the village of Khirbat Silim in Sector West of the UNIFIL area of operations. The UNIFIL investigation into the incident has been completed and the investigation report handed to the parties. In line with preliminary findings, reported in my letter of 6 August, the investigation concluded that the explosions were caused by the deflagration of ammunition stored in the building. The investigation also concluded that the building was under the control of Hizbullah and that it was not abandoned, but an actively maintained arms and ammunition depot, in clear violation of resolution 1701 (2006). The investigation confirmed that persons acknowledged to be affiliated with Hizbullah removed a substantial quantity of remnants from the site, on civilian vehicles, to an unknown location. On two occasions in the course of the investigation into the incident, again in clear violation of resolution 1701 (2006), the freedom of movement of UNIFIL was obstructed. In the first instance, the UNIFIL investigation team, accompanied by officers of the Lebanese Armed Forces, was prevented from approaching the site of the explosions for several hours by Lebanese civilians. In the second instance, civilians prevented UNIFIL from carrying out a planned joint inspection with the Lebanese Armed Forces of a suspicious house in the vicinity of the explosion site. During this incident, stone throwing by the civilians resulted in injury to 14 UNIFIL personnel and damage to 18 UNIFIL vehicles. Subsequent inspections, after this consequential delay, by Lebanese Armed Forces and jointly by UNIFIL and the Lebanese Armed Forces found nothing suspicious in the house. The Lebanese Armed Forces are continuing their efforts to locate and recover the items that were removed from the explosion site. The Lebanese Armed Forces also collected and confiscated the remaining unexploded materiel from the site of the explosion; unstable remnants were destroyed for security reasons.

7. In my letter of 6 August to the President of the Security Council, I also reported on a violation of the line of withdrawal, or Blue Line, on 17 July 2009 in the vicinity of Kafr Shouba by a group of Lebanese civilians protesting against construction works by the Israel Defense Forces just south of the Blue Line. UNIFIL was in contact with both parties, emphasizing the need to act with maximum restraint and to refrain from any actions that could unnecessarily raise tensions in the area. UNIFIL also intensified, in coordination with the Lebanese Armed Forces, its presence along the Blue Line in the vicinity of Kafr Shouba to prevent further incidents. On 17 August, the Israel Defense Forces dismantled the watchtower and concrete block base that had been erected. Since then, the situation in the area has remained quiet.

8. On 11 September 2009, two rockets were fired across the Blue Line from a banana plantation near the Lebanese village of Al-Qulaylah, 6 kilometres south of Tyre. The rockets landed in an agricultural area just north of the Israeli town of Naharriya, four kilometres south of the Blue Line. UNIFIL, in coordination with the Lebanese Armed Forces, immediately deployed additional troops to the area. The Israel Defense Forces immediately responded with 12 rounds of artillery directed towards the rocket launching site. Neither the rocket attack nor the artillery fire caused any injuries. UNIFIL, in close coordination with the Lebanese Armed Forces, conducted an investigation into the incident and reported the findings and conclusions to the parties. The relevant Lebanese authorities launched an investigation to identify and apprehend the perpetrators.

9. On 27 October, another rocket attack occurred when one rocket was fired across the Blue Line from the general area of Houla (Sector East). The rocket landed in an agricultural field to the east of Kiryat Shemona in northern Israel. Starting almost one hour later and providing prior warning to UNIFIL, the Israel Defense Forces responded by firing seven artillery shells, over a period of 25 minutes, directed towards the rocket launching site. Neither the rocket attack nor the artillery fire caused any injuries. The following morning, UNIFIL and the Lebanese Armed Forces discovered the rocket launch site, located in the garden of a house under construction on the south-western outskirts of Houla. Four additional rockets were found at the site, which were disarmed by the Lebanese Armed Forces and removed for further investigation. The UNIFIL investigation is ongoing. The relevant Lebanese authorities commenced an investigation to identify and apprehend the perpetrators of the attack.

10. The firing of the rockets is a matter of concern since they constitute serious violations of resolution 1701 (2006). The Lebanese authorities have the primary responsibility to ensure that there are no unauthorized armed personnel, assets or weapons in the area between the Blue Line and the Litani River. Investigations by the Lebanese authorities are also still under way into the rocket launching incidents of 17 June 2007, 8 January 2008, and 8 and 14 January and 21 February 2009. No suspects have been identified thus far.

11. The artillery response of the Israel Defense Forces to the rocket attacks is a matter of concern. In the context of the cessation of hostilities, it is the expectation of the United Nations that the parties, when they have been fired upon, immediately notify UNIFIL and refrain from responding except where that is clearly required in immediate self-defence, and allow, in the first instance, UNIFIL and the Lebanese Armed Forces to deal with an attack.

12. During part of September, including prior to the rocket attack of 11 September, and in October, UNIFIL and the Lebanese Armed Forces intensified patrolling, reconnaissance and search activities in the area of operations with a focus on former and possible rocket launching positions close to the Blue Line, and generally maintained a higher operational tempo, in the light of specific indications that some extremist groups were attempting to carry out attacks. The Lebanese Armed Forces also intensified the checking and searching of vehicles during these periods.

13. On 12 October, an incident involving a fire, possibly caused by an explosion, occurred in the garage of a residential building in Tayr Falsay, owned by a local municipal official from Hizbullah. UNIFIL, in close cooperation with the Lebanese Armed Forces, immediately launched an investigation. However, some items were removed from the site by unknown persons, immediately following the incident and prior to the arrival of UNIFIL and the Lebanese Armed Forces, and apparently transported to another location in the nearby village of Deir Qanun an-Nahr. UNIFIL and the Lebanese Armed Forces inspected both locations but found no signs of an explosion or of unauthorized arms and ammunitions at either of the two locations. It appears, however, that evidence may have been tampered with at both locations. The UNIFIL investigation is ongoing.

14. On 17 and 18 October, two explosions occurred in the area between Houla and Meiss el-Jebel. The UNIFIL investigation, conducted in close cooperation with the Lebanese Armed Forces, is ongoing. Preliminary indications are that the explosions were caused by explosive charges contained in an unattended, underground Israel Defense Forces sensor system. UNIFIL and the Lebanese Armed Forces discovered a battery pack buried in the ground at the same location, which was apparently a third part of the system. The ongoing investigation will try to establish the facts regarding the device, including how and when it was installed, how it was discovered and by whom and how it was detonated. The presence of Israel Defense Forces devices with explosive charges on Lebanese territory constitutes a violation of resolution 1701 (2006), irrespective of when the devices were planted. During those events on 17 and 18 October, Israeli unmanned aerial vehicles were observed flying over the incident area for a prolonged period of time. The Lebanese Armed Forces fired small arms against the unmanned aerial vehicles. The overflights by unmanned aerial vehicles over the area of the incident not only constitute an air violation but also interfered with UNIFIL operational activities and freedom of movement.

15. The Israel Defense Forces continued their occupation of the northern part of Ghajar village and an adjacent area of land north of the Blue Line, in violation of resolution 1701 (2006). Notwithstanding Israel's obligation to withdraw from the area, UNIFIL in June 2008 submitted a proposal to facilitate the full withdrawal of the Israel Defense Forces from north of the Blue Line. While the Government of Lebanon expressed its readiness to accept the UNIFIL proposal in August 2008, and the Government of Israel expressed its willingness to initiate discussions on the proposal in November 2008, there has been no concrete response from Israel to date.

16. Daily intrusions of Israeli aircraft and unmanned aerial vehicles into Lebanese airspace continued at a high level, in violation of Lebanese sovereignty and resolution 1701 (2006). UNIFIL protested about all the overflights. The Government of Lebanon also protested against the overflights and in a position paper submitted to the United Nations, dated 16 October 2009, demanded an immediate cessation of

all land, sea and air violations of Lebanese space, rejecting any attempt to link such violations with allegations of arms smuggling. The Government of Israel maintained that the overflights were necessary security measures, citing alleged lack of enforcement of the arms embargo.

17. On 8 July, a Lebanese civilian approached the technical fence close to the tomb of Sheikh Abbad next to United Nations position 8-33, east of Houla in Sector East. As UNIFIL personnel approached, the civilian fled. Contact with the individual was lost because of the steep and rocky terrain. Later that day, the Israel Defense Forces informed UNIFIL that they had arrested one Lebanese civilian on Israeli territory. During the night, at the Ras Naqoura crossing point, the Israel Defense Forces handed the man over to UNIFIL personnel, who, in turn, handed him over to Lebanese authorities. On 24 August, an Israeli civilian crossed the Blue Line in the vicinity of Marun ar-Ras and moved towards Aytarun in Sector West, where he was detained by Lebanese security authorities. Following investigation, on 27 August, the Lebanese Armed Forces handed him over to UNIFIL personnel, who, in turn, handed him back to the Israel Defense Forces at Ras Naqoura. UNIFIL was able to facilitate the swift return of both individuals to their respective countries with the close cooperation and coordination of the Israel Defense Forces and the Lebanese Armed Forces.

18. In addition, three attempted smuggling incidents, two near the village of Ghajar and one between the Lebanese town of Kafr Kila and the Israeli town of Metulla, were foiled through the coordinated actions of UNIFIL and the Lebanese Armed Forces; and UNIFIL and the Israel Defense Forces, respectively.

19. There also were several minor ground violations of the Blue Line and incidents during the reporting period, mainly by Lebanese shepherds who crossed the Blue Line accompanied by their livestock. Lebanese Armed Forces and UNIFIL troops positioned close to the Blue Line continued to warn the local population on the location of the Blue Line to prevent inadvertent violations. These continuing violations underline the importance of accelerating the visible marking of the Blue Line.

20. UNIFIL continued to make steady progress in visibly marking the Blue Line with the Lebanese Armed Forces and the Israel Defense Forces. The parties agreed to an extension of the areas being marked and work is being carried out in four sectors totalling 36.5 kilometres. To date, there are 62 agreed coordinates: 24 markers already are installed; 15 markers are under construction; and the coordinates of 23 points are set to be measured on the ground with the parties. One additional point has been unilaterally marked by UNIFIL, with the agreement of the parties. UNIFIL proposed nine further coordinates and additional sectors for marking, which are being considered by the parties. Both the Lebanese Armed Forces and Israel Defense Forces reiterated their commitment to speed up the process, particularly the need to intensify field work. UNIFIL demining teams support the project by clearing minefields and unexploded ordnance.

21. Work continued on the project of the Lebanese Armed Forces to build a road parallel to the Blue Line with UNIFIL engineering assets providing support. Construction work commenced on 4 of the 11 connecting road links, which constitutes the first stage of the project, and it is anticipated that three links will be completed before the onset of winter weather. It is expected that demining and construction work on the 11 links will take approximately two years to complete.

The eventual completion of this road project will provide UNIFIL and the Lebanese Armed Forces with increased access and mobility along the length of the Blue Line.

22. UNIFIL and the Lebanese Armed Forces maintained their respective installations and conducted daily activities at a high operational tempo. Efforts to enhance the efficiency of their coordinated activities continued. The two forces continued operating six co-located checkpoints on the Litani River, as well as two that are permanent and five at randomly selected locations in the area of operations. In addition, the two forces carried out three coordinated foot patrols daily along the Blue Line. UNIFIL and the Lebanese Armed Forces also conducted an average of 15 counter-rocket-launching operations during each 24-hour period.

23. During the reporting period, UNIFIL and the Lebanese Armed Forces conducted a comprehensive two-day earthquake contingency exercise in southern Lebanon involving a wide range of military and civilian organizations in the areas of disaster management, civil defence and first aid. They also conducted an artillery exercise. UNIFIL engagement with the Lebanese Armed Forces on civil-military issues is ongoing. The UNIFIL Maritime Task Force and the Lebanese navy, including personnel with the Coastal Radar Organization and the Lebanese naval chain of command, continued to engage in regular joint training and exercises at sea and on land, with a particular focus on response to unexpected events. During training periods at sea lasting several days, Lebanese navy personnel on board Maritime Task Force units received training in navigation and maintenance.

24. UNIFIL continued to exercise full freedom of movement, in general, throughout its area of operations, with the exception of the incidents described earlier that occurred in the vicinity of Khirbat Silim. On occasion, UNIFIL patrols were temporarily stopped by local civilians attempting to hinder UNIFIL movement in pursuing civilians carrying hunting rifles. The incidents were brief and resolved on the ground, often with the assistance of the Lebanese Armed Forces. In addition, UNIFIL activities were monitored on occasion by civilians in various areas.

25. There were a number of instances of Lebanese civilians, mostly children and youths, throwing stones at UNIFIL patrols. In addition, on several occasions, UNIFIL observed civilians close to the Blue Line throwing stones at the Israeli technical fence. In order to prevent such incidents, UNIFIL and the Lebanese Armed Forces increased their presence in places where the stone throwing generally occurred.

26. Although the stance of the local population towards UNIFIL remains generally positive, the Khirbat Silim incidents showed the continued importance of the force's public outreach. The outreach seeks to engage the press and local communities and to ensure their understanding of the UNIFIL mandate and its daily operational activities. The provision of humanitarian, infrastructural and capacity-building support through the activities of troop-contributing countries and projects funded through the UNIFIL budget continued.

27. UNIFIL continued to assist the Lebanese Armed Forces in establishing an area between the Blue Line and the Litani River free of unauthorized armed personnel, assets and weapons, including through taking intensive and coordinated measures specifically aimed at preventing the smuggling of weapons across the Litani River, removing and destroying any weapons and related materiel discovered in the area, and ensuring that there are no armed elements in the area.

28. As stated in my earlier reports, this is a long-term endeavour. The rocket attack of 11 September demonstrated that there continue to be weapons and hostile armed elements ready to use them within the area of operations. The presence of the arms and ammunitions depot in Khirbat Silim was a clear violation of resolution 1701 (2006). The UNIFIL investigation into the incident in Tayr Falsay on 12 October is ongoing. In addition, one empty bunker and two caves were discovered during the reporting period. There was no evidence of their recent use. UNIFIL routinely checked former facilities of armed elements in the area of operations, including bunkers and caves, but did not find any indication that they had been reactivated or any evidence of new military infrastructure in its area of operations.

29. UNIFIL remains determined to act with all necessary means within its mandate and to the full extent within its rules of engagement. To date, UNIFIL has neither been provided with, nor found, evidence of the smuggling of arms into its area of operations. The investigation into the Khirbat Silim incident did not find evidence suggesting that the arms and munitions had been smuggled into the UNIFIL area of operations since the adoption of resolution 1701 (2006). On the basis of remnants located at the site by UNIFIL and the Lebanese Armed Forces, it was ascertained that the arms and munitions dated mainly from the late 1970s to the early 1990s, and had originated from various countries. With regard to the rocket attack of 11 September, UNIFIL is not in a position to determine from the available evidence whether the rockets were smuggled into or already present in the area of operations.

30. As requested in resolution 1884 (2009), UNIFIL continues to seek to further enhance its operational activities with the Lebanese Armed Forces, and improve monitoring and control of the entry points across the Litani River, to ensure that there are no unauthorized armed personnel, assets or weapons in the UNIFIL area of operations. UNIFIL, in collaboration with the Lebanese Armed Forces, immediately investigates any claims regarding the illegal presence of armed personnel or weapons in the area if specific information is received. Concerning the arms and ammunitions depot in Khirbat Silim, UNIFIL did not receive from any party or possess any information of its existence prior to the explosion. According to its mandate, UNIFIL cannot search private houses and properties unless there is credible evidence of a violation of resolution 1701 (2006), including an imminent threat of hostile activity emanating from that specific location. The Lebanese Armed Forces Command reconfirmed that it will act immediately on receiving evidence of unauthorized armed personnel or weapons in the area and put a stop to any illegal activity in contravention of resolution 1701 (2006) and relevant Government decisions, specifically concerning the illegal presence of armed personnel and weapons south of the Litani River.

31. On numerous occasions, UNIFIL encountered civilians armed with hunting rifles in the area of operations, despite the Government ban on hunting and the carrying of weapons inside the area. The Lebanese Armed Forces took action against alleged hunters, although some managed to flee, and continued to remind the local population of the general ban on hunting, as well as the ban on the carrying of weapons inside the area. In addition, armed persons and weapons are present inside the Palestinian refugee camps in the area.

32. The UNIFIL Maritime Task Force continued its dual mandate of carrying out maritime interdiction operations to prevent the entry of unauthorized arms and related materiel, as well as training of the Lebanese navy. Since the start of its

mission in October 2008, the Maritime Task Force has hailed and queried over 27,800 ships in its area of operations. Since my last report, an additional 78 inspections were carried out on vessels that were identified as suspicious, increasing the total number to 390 since the inception of the Maritime Task Force. Of those 78 inspections, the Lebanese navy initiated 24 while the Maritime Task Force requested 54. The Lebanese navy and Lebanese Customs inspected the vessels to verify that there were no unauthorized arms or related materiel on board and cleared all of them. The Lebanese navy continued contributing to the maritime interdiction operations inside the territorial waters by hailing vessels approaching the main Lebanese ports, while the Maritime Task Force assumed a monitoring role. The lack of adequate naval units presents a major challenge to the Lebanese navy in assuming increased responsibilities on a sustainable basis.

33. Incidents along the line of buoys continued almost daily. Israel Defense Forces south of the buoy line dropped explosive charges in the area and on numerous occasions fired warning shots and flares along the line. The Israel Defense Forces stated that these were security measures against Lebanese fishing vessels approaching or crossing the line of buoys, which Israel installed unilaterally and which the Government of Lebanon does not recognize. The Israel Defense Forces reiterated its earlier proposal that the tripartite mechanism discuss activities and security measures on either side of the line of buoys. The Lebanese Armed Forces restated in the tripartite forum that it was necessary to first identify a line in conformity with international standards and that the Government of Lebanon requested the United Nations to entrust UNIFIL with this task (also see S/2009/330).

B. Security and liaison arrangements

34. The monthly tripartite meetings, chaired by the Force Commander with senior representatives of the Lebanese Armed Forces and the Israel Defense Forces, continue to be a critical element of UNIFIL liaison and coordination and an essential mechanism to identify and address security and military operational issues with the parties and to reinforce the cessation of hostilities. Violations of resolution 1701 (2006) were discussed, and UNIFIL made available to the parties its investigation reports into the Khirbat Silim and September rocket firing incidents, respectively. The incidents in Tayr Falsay and in the Houla area in October also were discussed in this forum. During the reporting period, the parties increasingly relied on liaison and coordination, in particular the tripartite forum, to advance practical solutions to address a number of contentious issues such as the situation in Kafr Shouba, Kafr Kila and Blida, as well as the repatriation of individuals that had crossed the Blue Line. During the meetings, the parties reiterated their commitment to resolution 1701 (2006) and the significance of the tripartite meetings in enhancing security and stability, and they utilized this mechanism to constructively address all issues under discussion.

35. Regular exchanges between UNIFIL and the Lebanese Armed Forces senior command continued during the reporting period and ensured a closely coordinated strategic approach to the activities of the two forces. During periods of heightened security alerts, UNIFIL and the Lebanese Armed Forces also further intensified their coordination and operational activities. Daily liaison at various levels remained close, facilitating efficient coordination at the operational and tactical levels. The Lebanese Armed Forces maintained liaison officers at UNIFIL headquarters in

Naqoura and at Sector headquarters, while UNIFIL continued to have a liaison officer stationed at Lebanese Armed Forces headquarters South Lebanon, in Tyre.

36. On 11 September, UNIFIL hosted a meeting of donor countries to the Lebanese Armed Forces, chaired by the Force Commander, to brief them on UNIFIL-Lebanese Armed Forces cooperation at the strategic and operational levels, including in the areas of civil-military coordination and community outreach. A Lebanese Armed Forces representative provided a comprehensive presentation on the Army's five-year plan to train and equip its forces. Although UNIFIL-Lebanese Armed Forces training and exercises address some of the identified needs, it is essential for the Lebanese Armed Forces, including the navy, to receive additional material and technical support, so that they may be in a position to gradually assume greater responsibility in the UNIFIL area of operations and the Lebanese territorial waters.

37. The Lebanese Armed Forces deployment in the UNIFIL area of operations remained largely unchanged, comprising three brigades (two heavy and a third that is in the process of being transformed from a light into a heavy brigade), with a current strength of approximately 5,000 troops. Once the reinforcement of the third brigade with one artillery and one tank battalion is completed, the overall strength of the Lebanese Armed Forces deployed in the UNIFIL area of operations is expected to reach between 5,500 and 6,000 troops. In addition, the Lebanese Armed Forces provides control north of the Litani River over access points to the UNIFIL area of operations.

38. Coordination and liaison with the Israel Defense Forces remained efficient. The UNIFIL Force Commander maintained effective relations with his Israel Defense Forces counterparts, as well as with other senior Israeli authorities. UNIFIL continued to have a liaison team with two officers at the Israel Defense Forces Northern Command headquarters in Zefat. There has been no progress on the establishment of the UNIFIL office in Tel Aviv during the reporting period, and the Israel Defense Forces, for the time being, have maintained their position that there is no need for the office.

C. Disarming armed groups

39. The explosions on 14 July in a building near the village of Khirbat Silim, in the UNIFIL area of operations, which was under the control of Hizbullah, and the rocket attacks of 11 September and 27 October provided a stark reminder of the challenges that armed groups operating outside the control of the State pose to Lebanon's sovereignty and authority.

40. In the aftermath of those incidents, and in a letter from the Permanent Representative of Israel to the United Nations dated 16 October 2009, the Government of Israel reiterated its position concerning Hizbullah's continued armament and increased military capability in Lebanon. Hizbullah has not challenged allegations regarding its military equipment and capability and has declared publicly that it will use its arsenal to defend itself if attacked. Hizbullah has denied to my Special Coordinator allegations that it has transferred weapons into the area south of the Litani River and maintains that it continues to abide by the requirements of resolution 1701 (2006).

41. As discussed in my latest report on the implementation of Security Council resolution 1559 (2004), no progress has been made with regard to addressing the presence of Palestinian military bases operated by the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada in Lebanon, all but one of which are located along the Lebanese-Syrian border outside the official Palestinian refugee camps administered by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The presence of those military bases continues to compromise Lebanese sovereignty and governmental authority. It also poses a challenge to the effective control of the eastern border between Lebanon and the Syrian Arab Republic.

42. The security situation in the UNRWA-administered Palestinian refugee camps remained relatively calm, with only minor incidents during the reporting period. This positive development is largely due to increased cooperation and coordination between Palestinian camp authorities and Lebanese security agencies. I remain, however, concerned about reports of threats to the United Nations posed by militant extremist groups present in Lebanon. Some of those elements have sought shelter in Palestinian refugee camps, including Ain el-Hilweh camp at Sanda, to which Lebanese security agencies do not have access.

43. Mindful of the provision of paragraph 10 of resolution 1701 (2006) regarding the disarmament of armed groups, I continue to believe that this should be carried out through a Lebanese-led process that will bring the full restoration of the authority of the Government of Lebanon over all its territory, so that there will be no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon. In this regard, Lebanese leaders have mandated the National Dialogue, convened by President Sleiman, to agree on a national defence strategy. The National Dialogue is also mandated to implement past agreements, some of which refer to the disarmament of Palestinian groups outside the officially recognized camps.

44. The National Dialogue, which last met on 1 June, is currently in recess as a consequence of the Lebanese parliamentary elections and the process of formation of a government. At its last session, the National Dialogue requested the President to reconvene the dialogue following the elections, further to consultations with all parties on a formal agenda and a potential extension of the participation to take into account the results of the Parliamentary elections.

D. Arms embargo

45. By one of the key provisions of resolution 1701 (2006) the Council called upon the Government of Lebanon to secure its borders and other entry points so as to prevent the entry of arms and related materiel without the consent of the Government. The Council also decided that all States were to prevent the sale or supply of arms and related materiel to entities or individuals in Lebanon by their nationals or from their territories using their flag vessels or aircraft.

46. Since my last report to the Security Council on the implementation of resolution 1701 (2006), the Common Border Force, comprising staff from the Lebanese Army, Internal Security Forces, Customs and General Security, has continued its operations along a stretch of 90 kilometres of the northern border between Lebanon and the Syrian Arab Republic. Lebanese authorities reported that

the Common Border Force made several arrests in connection with the smuggling of commercial goods and agricultural products during this period.

47. Planning for the deployment of a second Common Border Force to a section of the northern part of the eastern border with the Syrian Arab Republic, in compliance with a Cabinet decision adopted on 20 December 2008, has continued. The Lebanese authorities, with support from international experts, continued to improve the workplan for this deployment. My Special Coordinator continued to coordinate the efforts of the international community in support of this exercise. During the reporting period, about 365 Army personnel were deployed to the border in preparation for their future assignment to Common Border Force II. Those troops replace a battalion of equivalent size that was assigned to the same area of operation, but outside the chain of command of Common Border Force II. About 100 members of the Internal Security Forces, also previously stationed in the border area, have been placed under the authority of the second force; no personnel from either Customs or General Security have yet been assigned to it.

48. The lack of demarcation of parts of the border between Lebanon and the Syrian Arab Republic continues to be a significant obstacle to improved border management. Other significant impediments to effective border control between Lebanon and the Syrian Arab Republic are the presence of Palestinian military bases in locations straddling the border between the two.

49. During the reporting period, the Government of Lebanon has not reported any incidents of arms smuggling into Lebanon through any of its land, sea or air borders. During my Special Coordinator's visit to Israel, on 30 September and 1 October, the Government of Israel repeated to him its allegations of significant breaches of the arms embargo across the border between Lebanon and the Syrian Arab Republic, aimed at reinforcing the military capability of Hizbullah. The United Nations takes these allegations seriously but is not in a position to verify the information independently.

E. Landmines and cluster bombs

50. All humanitarian clearance operations in southern Lebanon continue to be coordinated by the Lebanese Mine Action Centre through the Regional Mine Action Centre in Nabatieh. The United Nations Mine Action Coordination Centre continues to liaise between UNIFIL and the Regional Centre. During the reporting period, 14 additional cluster bomb strike locations were identified on the ground and recorded by the Regional Centre, bringing the total number of locations recorded to date to 1,087.

51. The Regional Mine Action Centre also continues its assessment on the ground of the technical strike data that was received from Israel in May 2009. The strike data indicated 282 potential strike locations that had not previously been identified, of which 166 are north of the Litani River and 116 south of the Litani River. It is expected that the total number of cluster bomb strike locations will increase upon completion of the assessment. The Regional Centre's assessment report will be made available to UNIFIL and the United Nations Mine Action Coordination Centre.

52. During the reporting period, there were two incidents involving unexploded ordnance from the 2006 conflict, including cluster munitions, resulting in three injuries. The incidents bring the total number of fatalities and injuries among civilians since the end of the conflict to 28 and 247, respectively. One accident occurred during clearance operations in this period and resulted in one injury, bringing the total number of casualties resulting from clearance activities since August 2006 to 58, 14 fatalities and 44 injuries.

F. Delineation of borders

53. In pursuance of the implementation of paragraph 10 of resolution 1701 (2006) and of paragraph 4 of resolution 1680 (2006) calling for the delineation of the border between Lebanon and the Syrian Arab Republic, I have welcomed the agreement reached between the Presidents of the two countries in August 2008 to reactivate the Lebanese-Syrian border committee tasked with delineating and demarcating their common border. However, there has not been any progress in this respect during the reporting period.

54. In its letter of 8 July 2009 (S/2009/345), the Syrian Arab Republic again insisted that border delineation and demarcation was a bilateral matter that depends on the authorities in the Syrian Arab Republic and in Lebanon. In the same letter, the Syrian Arab Republic reiterated that it was prepared to begin demarcating the Syrian-Lebanese border, starting from the north for reasons of practical necessity because the southern part of the common border, including the Shab'a Farms, is under Israeli occupation. However, the United Nations is unaware of any concrete steps taken in this regard.

55. There continues to be no progress on the issue of the Shab'a Farms area. In spite of my repeated requests, I have not received any responses from Israel or the Syrian Arab Republic to the provisional definition of the area contained in my report on the implementation of resolution 1701 (2006) dated 30 October 2007 (S/2007/641). I encourage them to submit their reactions to the provisional definition of the Shab'a Farms area to the United Nations Secretariat.

III. Security and safety of the United Nations Interim Force in Lebanon

56. The safety and security of UNIFIL personnel remains a priority. Notwithstanding the obligation of all parties to ensure the safety and security of UNIFIL and the responsibility of the Government of Lebanon for maintaining law and order, UNIFIL continued to focus on mitigating risks to its personnel, assets and installations while ensuring mandate implementation. Security threats highlighted the ongoing need for UNIFIL to maintain a high level of preparedness and contingency planning to ensure the safety and security of all personnel. In addition to electronic countermeasures to jam explosive devices, UNIFIL can rely on micro-unmanned aerial vehicles as a critical risk mitigation asset to be utilized at the discretion of the Force Commander to enhance Force protection and civilian staff security.

57. On 8 July, the Lebanese Military Court sentenced 13 defendants, and acquitted another, on charges of forming a militant group and planning and executing three bombing attacks, including the attack of 16 July 2007 against UNIFIL at Qasmieh Bridge. On 14 September, the Military Court sentenced five defendants suspected of involvement in the attack of 8 January 2008 against UNIFIL near Saida. No new information is available on the investigation into the attack of 24 June 2007, in which six peacekeepers of the Spanish contingent were killed. On 19 June, the Military Court sentenced 12 members of a cell which was operational from 2004 to 2006 on charges of forming a militant group, possessing weapons, conducting military training, launching rockets against Israel and plotting terrorist attacks against UNIFIL. UNIFIL continues to attend all court hearings as an observer.

IV. Deployment of the United Nations Interim Force in Lebanon

58. In accordance with resolution 1884 (2009) and in line with peacekeeping good practice, a review of the operational capacity of UNIFIL, including its force structure, assets and requirements, on land and at sea, has been initiated. The review is expected to be completed at the beginning of 2010.

59. As at 16 October 2009, the total military strength of UNIFIL was 12,394 personnel, of whom 455 were women, with a civilian strength of 335 international and 661 national staff members, of whom 94 and 169 respectively were women. UNIFIL is supported by 53 United Nations Truce Supervision Organization military observers of the Observer Group Lebanon, including one woman. The Government of Denmark agreed to deploy a multirole logistics company to UNIFIL to replace the Polish logistics and maintenance company. The company is expected to deploy in mid-November. The Government of Poland agreed to extend the presence of its troops beyond October to ensure a smooth handover; the gradual withdrawal of the Polish contingent is expected to commence early in November and be completed by mid-December. As part of the strengthening of UNIFIL with additional infantry companies, a Malaysian company deployed to UNIFIL late in June. One company from Indonesia is expected to arrive by mid-November and a company from Nepal is scheduled to deploy in December. Work on the new logistics infrastructure at the expanded UNIFIL headquarters site progressed according to schedule. Securing improved air surveillance assets for the mission remains a priority.

60. At the end of August, Italy handed over the leadership of the UNIFIL Maritime Task Force to Germany. The Maritime Task Force has continued operating at a reduced strength of seven to eight vessels, the composition varying between one to two frigates, one corvette, four to five fast patrol boats and one supply vessel, complemented by one to two helicopters. The shortfall in assets continues to hamper the full implementation of the Maritime Task Force's dual mandate of maritime interdiction operations and Lebanese navy training activities.

V. Observations

61. While the situation in the UNIFIL area of operations remained generally quiet, the series of recent incidents that have occurred is of serious concern to me. I am pleased that the parties maintained their commitment to resolution 1701 (2006).

More work remains to be done, however, in implementing the outstanding elements of resolution 1701 (2006). I condemn all violations of resolution 1701 (2006) that occurred in this period and call for increased vigilance. I urge the parties to continue to act with maximum restraint and to respect the cessation of hostilities and the Blue Line. I am particularly concerned about the firing of rockets on 11 September and 27 October — the fourth and fifth such attacks in 2009 against Israel from Lebanese soil. I am concerned also about the arms and ammunitions depot that was discovered in Khirbat Silim, as well as the incidents in Tayr Falsay and the Houla area in October, which are still under investigation.

62. In accordance with resolution 1701 (2006), it is the primary responsibility of the Lebanese authorities to establish an area free of armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL in the area between the Blue Line and the Litani River. UNIFIL is tasked and continues to assist the Lebanese Armed Forces with the establishment of such an area.

63. I condemn the attacks on UNIFIL personnel by Lebanese civilians that resulted in injuries to peacekeepers and damage to their vehicles, and I reiterate my concern regarding attempts to obstruct the freedom of movement of UNIFIL. I urge the parties to abide by their obligation to respect the mandate of UNIFIL, including its full freedom of movement in its area of operations. The safety and security of United Nations personnel remains of paramount importance. I urge all parties to abide by their obligation to ensure their safety and security.

64. The role of the Lebanese Armed Forces, in cooperation with UNIFIL, to implement resolution 1701 (2006) remains critical. The Lebanese Armed Forces continued to act with commitment and resolve, especially during times of heightened tension. I am grateful to those countries that continue to provide equipment and training to the Lebanese Armed Forces, including the Lebanese navy. I urge the international community to continue and intensify this support, which is required for the Lebanese Armed Forces to assume effective security responsibility over the area of UNIFIL operations and the maritime entry points into Lebanon in the future.

65. I am grateful to all troop-contributing countries for their continued commitment to UNIFIL and to the implementation of resolution 1701 (2006). The need for this continued commitment and support, including the contribution of troops and assets necessary to enable UNIFIL to efficiently and effectively perform all of its mandated activities on land and at sea, cannot be overstated. I wish to commend the UNIFIL Force Commander and the military and civilian peacekeeping personnel who continue to play a critical role in helping to promote peace and stability in southern Lebanon, as well as the Special Coordinator for Lebanon and the staff of his Office.

66. The presence of armed groups in Lebanon operating outside the control of the State continues to pose a challenge to the ability of the State to exercise its full sovereignty and control over its territory, and is of concern to me. As I have stated previously, I believe that the disarmament of all armed groups should be carried out through a Lebanese-led political process, so that there are no weapons or authority in Lebanon other than those authorized by the State.

67. In this connection, I call upon Lebanese leaders to make meaningful progress in their discussions on a national defence strategy at the National Dialogue

convened by President Sleiman and to ensure the implementation of past dialogue decisions, including the dismantling of Palestinian military bases outside the officially recognized refugee camps. While the national defence strategy remains a central issue of the political debate in Lebanon, I regret that the prolonged political deadlock during the reporting period has not been conducive to addressing the issue. I hope that the National Dialogue will convene once a government is agreed upon and that it will make meaningful progress in its discussions in the coming period.

68. Progress in the delineation and demarcation of the border between Lebanon and the Syrian Arab Republic is important for improved border control. I encourage the two Governments to pursue their bilateral efforts in this regard. I regret that there has been no progress on delineating and demarcating the Syrian-Lebanese border during the reporting period. I continue to stress to the Governments of both countries the importance of the final determination of their common borders for peaceful coexistence and good-neighbourliness. I also intend to continue my diplomatic efforts aimed at resolving the issue of the Shab'a Farms area. I call upon Israel and the Syrian Arab Republic to submit their responses to the provisional definition of the Shab'a Farms area that I had provided on the basis of the best available information.

69. I call upon Israel to cease immediately all overflights of Lebanese territory, which are in violation of Lebanese sovereignty and resolution 1701 (2006).

70. I again express my concern that the Israel Defense Forces co tinued their occupation of the part of the village of Ghajar, and an adjacent area of land, that lies north of the Blue Line. I call on the Government of Israel, in accordance with its obligations under resolution 1701 (2006), to complete its withdrawal from the area without further delay. UNIFIL remains ready to facilitate the full withdrawal of the Israel Defense Forces.

71. The arms embargo imposed on Lebanon by resolution 1701 (2006), of which it is a fundamental aspect, remains an essential factor in maintaining domestic and regional stability. I call upon all Member States to comply with their obligations by immediately and unconditionally respecting the arms embargo. I also call upon regional parties, particularly those with ties to Hizbullah and other groups in Lebanon, to abide by the terms of the embargo. Any breach of it is a violation of Lebanese sovereignty and threatens the stability of the country and the region.

72. I welcome the steps taken by the Lebanese authorities to improve the control and management of their borders. My Special Coordinator will continue to coordinate the efforts of the international community in support of those initiatives. Although the initiatives already under way are laudable, further progress is hindered by the lack of an overall border management policy. The absence of such a framework risks undermining the coordination and effectiveness of current and future projects. In line with a key recommendation made by the Lebanon Independent Border Assessment Team in August 2008, I call upon the future Government of Lebanon to develop a comprehensive border strategy as a priority. I also thank donors for their support to the Common Border Force and to other projects aimed at securing Lebanon's borders, and call upon the international community to support the future efforts of the Government of Lebanon to ensure adequate control of its country's borders.

73. I urge donors to continue to support humanitarian demining in Lebanon and strengthen national capacity in this regard. I commend the Army, the Lebanese Mine Action Centre and the many non-governmental organizations involved in demining efforts for their tireless determination and work among the most affected communities.

74. Additional work also needs to be done by the future Government to improve the living conditions of Palestinian refugees in Lebanon, without prejudice to an overall resolution of the Palestinian refugee question in the context of a comprehensive peace agreement. It is my strong belief that addressing the difficult living conditions of Palestinian refugees in Lebanon will have a positive impact on the coexistence of Lebanese and Palestinians and, hence, on national security and stability.

75. Notwithstanding considerable international support, the large task of reconstructing the destroyed Nahr al-Bared camp in northern Lebanon remains challenging. The discovery of archaeological remains on the site resulted in a further delay to the work, provoking Palestinian fears that reconstruction could be at risk. I welcome the Government's continued commitment to rebuilding the camp, and its recent decision to permit work to resume, in accordance with Lebanese law, pending a future decision by the Shura on a petition related to the archaeological discovery.

76. More than four months since legislative elections were held in Lebanon, a new government has yet to be agreed upon and to assume office. It is my hope that the process of consultations currently led by Prime Minister-designate Hariri will soon result in the formation of a Government that will gain Parliament's confidence. I also look forward to the new government's unequivocal commitment to the full implementation of resolution 1701 (2006).

77. As I remarked in previous reports, UNIFIL cooperation with the Lebanese Armed Forces has helped to establish a new strategic environment and restore and maintain stability in southern Lebanon, providing the foundation on which a process towards achieving a permanent ceasefire can be built. The window of opportunity that the UNIFIL presence has created cannot be maintained indefinitely, however. It is the responsibility of the parties to focus on all outstanding issues in order to achieve a permanent ceasefire and long-term solution as envisaged in resolution 1701 (2006). Compliance with obligations under resolution 1701 (2006), as described in detail in this report, during the coming months would create favourable conditions for the attainment of a permanent ceasefire. The United Nations, through the work of my Special Coordinator for Lebanon and UNIFIL, stand ready to continue to assist the parties towards this objective.

78. It continues to be my profound conviction that we must exert all possible efforts to achieve a just, lasting and comprehensive peace in the Middle East, on the basis of the implementation of Security Council resolutions 242 (1967) and 338 (1973), which remains interdependent with the full territorial integrity, sovereignty and political independence of Lebanon.